



## FREMONT PLANNING BOARD

**July 9, 2008**  
**Meeting Minutes**  
**Approved July 16, 2008**

Present: Chairman Roger Barham, Co-Chair and CC Rep. Jack Karcz, Selectman Gene Cordes, Member John (Jack) Downing, Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham called the meeting to order at 7:00 pm at the Fremont Safety Complex.

7:00 – 9:00 pm

Community Technical Assistance Program (CTAP) Local Government Cluster Workshop – Impact Fees

Present: Planning Consultant Bruce Mayberry, CNHRPC Regional/Transportation/GIS Planner Craig Tufts and Nottingham Planning Board alternate Tracy Chauvey.

Planning Consultant Bruce Mayberry conducted a power point presentation on impact fees. Handouts of Mr. Mayberry's presentation were distributed to those present and a copy of NH RSA 674:21-V was also available. As Mr. Mayberry stated, NH RSA 674:21-V describes "impact fee" as *a fee or assessment imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; and public recreational facilities not including public open space.*

Mr. Mayberry's presentation included:

1. Impact fee principles including authorization (NH RSA 674:21-V), assessment, funding, time limits and enacted ordinance.
2. The two major parts of the fee process:
  - a. Impact fee ordinance and how it enables the process.
  - b. The cost basis of assessment.
3. Proportional service demand such as schools (enrollment per unit), population, property valuation, calls for service)

4. Multiple fees; example schedule used.
5. Timing of assessment and using the fees.
6. Impact fee process, the role of the Capital Improvements Program (CIP).
7. Information to develop (baseline vs. future conditions, Master Plan, CIP).  
Data collection such as supply and condition, demand on facility and capital cost or value.  
Supply and condition data such as building floor area by function, public safety calls by type/address, design capacity or population, engineering studies and road inventory.
8. Capital costs such as land acquisition, site development, construction, debt service schedules, capital asset value, replacement cost of equipment and dedicated non-impact fee funds.

Also in the presentation was a list of projects for Fremont that were included on the CIP worksheets that were previously sent to the different departments. This list was used to discuss which projects an impact fee could support.

Mr. Mayberry showed a generic impact fee formula. He noted the fee screening process allowed under NH RSA 674:21-V. He also discussed the issues in fee development including no facility plans, using standards to define needs, reluctance to apply to non-residential, failure to budget other funds, concept of recoupment and waivers.

Mr. Mayberry's presentation was followed by a question/answer period. The Board thanked Mr. Mayberry for his very professional and highly informative presentation.

#### MINUTES

Mr. Karcz made the motion to approve the minutes of the June 18, 2008 meeting as written. Motion seconded by Mr. Cordes with unanimous favorable.

#### INCLUSIONARY HOUSING ORDINANCE

Mr. West presented an application for the IZIP grant to the NH Housing Finance Authority to fund technical assistance in the preparation of an inclusionary zoning ordinance. Mr. Barham signed the application and Mr. West will submit it this week.

Mr. Barham related that Stephanie Schuyler, who is on the workforce housing department for Unifil, has agreed to come to the July 16, 2008 meeting to explain "workforce housing".

#### GOVERNOR'S FOREST

Map 3 Lot 002

Mr. Barham reported that the Board has received an excavation permit renewal application from Martin Ferwerda for Governor's Forest at the above referenced location. The application was missing updated abutter information as per #18 on the permit form (and section 4.2.2 of the Excavation Regulations), and the test pit or benchmark information. The Hours of operation on the permit renewal application were listed as 6:00 am to 8:00 pm. However, the condition #3 of the 2007-08 permit requires the hours of operation to be 7:00 am to 6:00 pm Monday – Friday with no excavation operation on weekends.

It was the consensus of the Board to send correspondence to Mr. Ferwerda stating that he is required to submit the missing abutter and test pit/benchmark information and change the hours of operation on the renewal application to reflect the current permit.

It was agreed that Mr. Karcz, Mr. Downing and Mr. Roy will conduct a site visit at Governor's Forest and report their findings to the Board.

PJP, INC  
Map 2 Lot 151.2

Mr. Barham reported that the Board has received a copy of a sketch plan of the PJP excavation area from Dan Olson showing the benchmark at the top of a rebar at an elevation of 1.1'. The conditions of the July 1, 2008 excavation approval were 1) that a permanent benchmark is installed to indicate the seasonal high water table; and 2) that access is restricted in the area of the vertical drop.

It was agreed that Mr. Karcz, Mr. Downing and Mr. Roy will visit the site to ascertain that the approval conditions have been met.

MAGNUSSON, C.L.  
Map 2 Lot 070

Mr. Barham reported that the Board has received a June 23, 2008 correspondence from Town Engineer Lou Caron relating that on June 19, 2008 he met with Mr. Magnusson at the excavation site at the above referenced location to verify the status of the gravel pit closure and its compliance with the Town of Fremont and the State of New Hampshire's closure requirements, specifically NH RSA 155-E: 5 Article 7 - Reclamation Standards. He issued a summary of his findings along with some pictures of the site and stated that that he finds "the gravel pit has been reclaimed in compliance with the spirit and intent of the Town and State regulations." Mrs. Bolduc related that Mr. Magnusson submitted payment in full for Mr. Caron's Engineering services.

Mr. Karcz made the motion that based on the result of the June 19, 2008 findings and report of Town Engineer Louis Caron, of LC Engineering, the Planning Board recommend to the Board of Selectmen that the C. L. Magnusson gravel operation located at Map 2 Lot 070 be considered reclaimed and finished.

Mr. Downing seconded the motion with unanimous favorable vote.

LECLAIR, FRED  
Map 2 Lot 077-001  
Red Brook Road

The Board received a note from Town Administrator Heidi Carlson stating that she received a call from Fred LeClair on June 23, 2008 in follow-up to the Boards letter relative to intents and gravel operations in which Mr. LeClair indicated he filled out the (intent to excavate) forms as per the direction of Mary Pinkham-Langer of NH DRA and is working on what to get back to the Town/Planning Board with. Mr. Barham reminded the Members that Mr. LeClair has been

advised by the Selectmen to get in touch with the Planning Board to remedy the matter of no approved permit for the site in compliance with RSA 155-E or the Fremont Excavation Regulations. He also noted that the Board issued a May 22, 2008 correspondence to Mr. LeClair relating that if he wants to remove gravel and thinks he is not proposing a gravel operation or should be exempt he should meet with the Planning Board and explain why.

CORNERSTONE ESTATES  
(DAKOTA REALTY TRUST)  
Map 1 Lot 035

The Board received a copy of a June 4, 2008 correspondence from Francis McCarthy, Jr. to the Selectmen requesting final release of the maintenance and driveway bonds for Cornerstone Estates and advising that all work has been completed and inspected. It was determined that the Board only needs to consider release of the road maintenance bond, which is for Treaty Court Phase II.

After a brief discussion Mr. Karcz made the motion to recommend to the Board of Selectmen the release of the Treaty Court Phase II road maintenance bond contingent upon a written favorable report from the Fremont Road Agent.  
Mr. Downing seconded the motion with unanimous favorable vote.

BARTHELEMY, SCOTT AND BRENDA  
For MARTIN ROAD AUTOMOTIVE  
Map 6 Lot 021

The Board received a copy of an application to the NH DMV for a motorcycle inspections permit for Scott and Brenda Barthelemy, Martin Road Automotive

After some discussion Mr. Cordes made the motion that the application of Scott and Brenda Barthelemy to the NH DMV for a motorcycle inspections permit would be consistent with their already existing permitted auto and truck repair, inspection and sales facility and the action would not require an amendment to their already approved Site Plan. (April 13, 1994 amended site plan review)

Mr. Downing seconded the motion with unanimous favorable vote.

RPC = TARGETED BLOCK GRANT (TBG)

Mr. Barham reported that the Board has received the TBG notice from RPC. The notice explains that "Each year the RPC receives a grant from the NH Office of Energy and Planning (OEP) to use for regional planning projects, support of our Geographic Information System (GIS) and training for local land use boards. Entitled the Targeted Block Grant (TGB), these funds have been very useful for our agency. Each year we dedicate a portion of our TBG allocation for local planning assistance for the 13 member communities that are not in the Coastal Program."

The details of the 2008 TBG are as follows:

- The grant program is a 50/50 matching program. The local match must be in the form of budgeted funds and be available as of July 1, 2008.
- A total of \$12,000 in matching funds is available.

- Grant awards will be between \$1,000 and \$3,000 per community and can be used only for planning assistance provided by RPC.
- The project must be able to be completed by June 30, 2009.
- Must submit a cover letter describing the project and related costs and the completed application to RPC by August 1, 2008.

It was agreed that the Board should decide where a total of up to \$6,000 would best be spent. Mr. West stated that he did not think the TBG could be used to create an Energy Ordinance, but agreed to find out if it could be used to create a Wind Turbine Ordinance, as previously discussed by the Board, and what the cost would be.

#### CORRESPONDENCE

1. Notice of the National Association of Development Organizations July 15 and 16, 2008 workshops on Brownfields Revitalization and Green Concepts.

Mr. Karcz made the motion to adjourn at 9:50 pm.  
Motion seconded by Mr. Cordes with unanimous favorable vote.

Respectfully submitted,  
Meredith Bolduc Land Use AA/Recording Secretary